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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

7 TRANG HENDERSON,

8 Plaintiff,

9 vs.

10 EXPLORE KNOWLEDGE ACADEMY,

11 Defendant.

) Case No. 2:11-cv-00659-PMP-PAL

) **ORDER**

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13 Before the court is the parties' Stipulation and Order Regarding Production of Confidential
14 Information (Dkt. #21), which the court approved, with the exception of a portion of Paragraph 4 which
15 required submission of any disputed documents to the court for in camera review. This order also
16 reminds counsel that there is a presumption of public access to judicial files and records. A party
17 seeking to file a confidential document under seal must file a contemporaneous motion to seal in
18 compliance with Local Rule 10-5 and must follow the Ninth Circuit's directives in *Kamakana v. City*
19 and *County of Honolulu*, 447 F.3d 1172 (9th Cir. 2006).

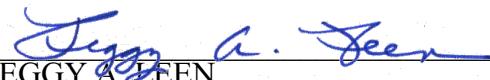
20 The court has approved the parties' blanket protective order to facilitate their discovery
21 exchanges. However, the parties have not shown, and court has not found, that any specific documents
22 are secret or confidential. The parties have not provided specific facts supported by affidavits or
23 concrete examples to establish that a protective order is required to protect any specific trade secret or
24 other confidential information *under* Rule 26(c) or that disclosure would cause an identifiable and
25 significant harm. The Ninth Circuit has held that there is a presumption of public access to judicial
26 files and records and that parties seeking to maintain the confidentiality of documents attached to non-
27 dispositive motions must show good cause exists to overcome the presumption of public access. *See*
28 *Kamakana* 447 F.3d at 1179. Parties seeking to maintain the secrecy of documents attached to

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1 dispositive motions must show compelling reasons sufficient to overcome the presumption of public
2 access. *Id.* at 1180.

3 **IT IS ORDERED** that the parties shall comply with the requirements of LR 10-5(b), and the
4 Ninth Circuit's decision in *Kamakana*, 447 F.3d 1172, with respect to any documents filed under seal.

5 Dated this 7th day of May, 2012.

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8 PEGGY A. LEEN
9 UNITED STATES MAGISTRATE JUDGE
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